IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.3273 OF 2005

Shri Gramvikas Pratishtan Varkhuti Khurd

& Anr. : Petitioners

V/s.

Shri Abhang Malhari Baiju & Ors. : Respondents

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Ms Smita Mane for Mr.P.B.Shah for the petitioners.

None present for the respondents.

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CORAM : S.A. BOBDE, J.

June 14, 2005.

P.C.:

1. The petitioner has challenged the order of the School Tribunal refusing to frame a preliminary issue. Since the appeal is ripe for hearing, I see no reason to interfere. There is no reason also to assume that the School Tribunal will not take into account the observations of this Court in Anna Manikrao Pethe v. Presiding Officer, School Tribunal, Amravati and Aurangabad Division (1997 (3) Mh.L.J. 697, while deciding the appeal as regards the issue that needs to be decided.

2. The Writ Petition is dismissed.

Sd/-

S.A. BOBDE, J.